

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: James MacPherson  
SERIAL NO. 09/716,189  
FILED: November 17, 2000  
FOR: System and Methods for Trading Mutual Funds  
EXAMINER: Clement B. Graham Group: 3628

Mail Stop: **Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION**

Sir:

This communication is being filed in response to the Advisory Action mailed on December 20, 2006. The Advisory Action states that the reply filed February 7, 2006 fails to place the application in condition for allowance.

This communication confirms the telephone conference between the Examiner and the Applicant's representative, Alex Zinchuk, on December 27, 2006 regarding the issuance of the present Advisory Action. It is respectfully submitted that the Advisory Action is inappropriate.

The reply filed on February 7, 2006 was in response to the non-final Office Action of November 17, 2005. Amended drawings were simultaneously submitted to the USPTO with the reply.

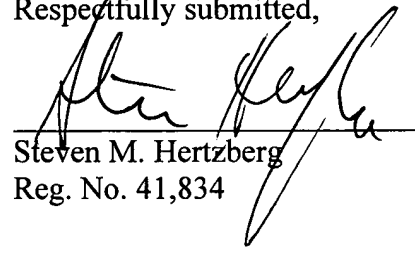
A Notice of non-compliant drawings was mailed by the USPTO on June 22, 2006. In response, modified drawings were filed with a communication to the USPTO on June 30, 2006.

It is noted that a Notice of Appeal was filed on May 4, 2006. The Notice of Appeal is inappropriate, as it was filed by error.

No Office Action has issued in response to the reply of February 7, 2006 or the communication of June 30, 2006. For the convenience of review, attached is a copy of the transaction history for the above-identified application which was retrieved from the public PAIR system.

In view of the above, it is respectfully requested that the Advisory Action be withdrawn and a new Office Action on the merits be issued.

Respectfully submitted,



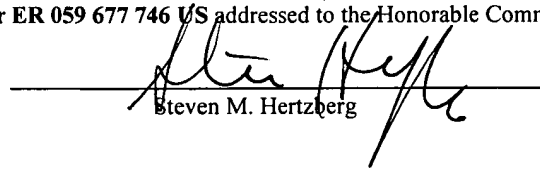
Steven M. Hertzberg  
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Date: January 11, 2007

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Steven M. Hertzberg